

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of) **MAIL STOP APPEAL BRIEF**
Shinichi Takagi et al.) Group Art Unit: 2823
Application No.: 09/987,153) Examiner: SHEILA V CLARK
Filed: November 13, 2001) Appeal No.: _____
For: SEMICONDUCTOR ELEMENT)
MODULE AND SEMICONDUCTOR)
DEVICE WHICH PREVENTS)
SHORT CIRCUITING)

RESPONSE TO NOTIFICATION OF NON-COMPLIANT APPEAL BRIEF

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The Communication dated January 16, 2009 alleges that the Appeal Brief filed December 10, 2008 is defective, stating:

The headings "Evidence Appendix" and "Related Proceedings Appendix" is missing, if there are none an indication of "none" or "not applicable" is required.

Confirming the undersigned's conversation with Darlene Brown of the USPTO, the noted headings appear on page 27 of the Appeal Brief, as items IX and X. Each heading is followed by the notation "(none)", to indicate that there are no appendices corresponding to these two sections.

In view of the foregoing, is it respectfully submitted that the Appeal Brief filed December 10, 2008 complies with the requirements of 37 C.F.R. §41.37.

Based on the telephone conversation, it is the undersigned's understanding that the Notification of Non-Compliant Appeal Brief is being withdrawn.

Respectfully submitted,

BUCHANAN INGERSOLL & ROONEY PC

Date February 17, 2009

By: /James A. LaBarre/
James A. LaBarre
Registration No. 28632

P.O. Box 1404
Alexandria, VA 22313-1404
703 836 6620